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THE FIRST PERIOD OF THE GUTIERREZ-MAGEE  
EXPEDITION.

WALTER FLAVIUS M'CALEB.

The Gutierrez-Magee episode marks an interesting point not only in the history of Texas, but in that of the whole Southwest. In a way it has a national interest, for after the movement in question, Texas was never again Spanish, and its admission into the Union was only a question of time. Apart from the political significance of the undertaking, this irruption of Americans into the Spanish territories was, to a certain extent, an unconscious manifestation of the spirit of aggression, the spirit of expansion, which has at various times dominated the actions of the American people. Perhaps the most notable instances of this are seen in the Mexican war and the recent outburst against Spain. These were national in their larger aspects; but the germs of both lie beyond the Gutierrez-Magee expedition, and had a common origin. The animosity which had grown up in the United States towards Spain before the close of the eighteenth century lies at the bottom of these troubles. The causes for the development of this antagonism must be sought in the physical growth of this country measured in terms of Anglo-Saxon aggressiveness and rationalism,—Spanish intrigue and suspicion—or liberalism versus inquisition.

Strangely enough, our accredited historians, with few exceptions, have failed to grasp the real significance of this page of American history. Most of those of eminence who have written have treated it as growing, in the main, out of the selfishness of the Southern slave owner; the other elements involved, in their opinion, were not of vital import. But when the true story is told, the tablets of stone will be broken and the iniquitous evil of writing with preconceived ideas, with partisanship tinged with malice, will once more have been put to shame.

In the long chain of events, or series of waves, which led up to these climaxes, the Gutierrez-Magee enterprise occupies an important place. It had been preceded by the Kemper raid, the Miranda Expedition, the Aaron Burr Conspiracy, and the overwhelming of

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West Florida. These served as temporary vents, and are important as exemplifying the spirit working in the people. They were all aggressive, and aimed at Spain. Only one, however, the last, produced a real change in the relative situation of things. It was for Gutierrez and Magee to marshal the forces which had followed Burr and which had overthrown the Spanish regime in West Florida for yet another advance.

When the revolution broke out in Mexico in 1810, the leaders were not unaware of the sympathy which the great mass of the inhabitants of the new American republic bore them. Miranda's expedition against the Spaniards in Venezuela had taught the patriotic Mexicans that support was to be expected, while Aaron Burr in his conspiracy had brought the matter nearer to them through his emissaries. So, when disaster had fallen terribly on the arms of the revolutionists, when Hidalgo had been driven from Guadalajara, when his army had become demoralized and his retreat a flight, he headed with the remnant of his forces towards Texas, giving it out that perhaps already the Anglo-Americans were on their way to bring succor to his cause.

In March, 1811, only a few days before the heroic Cura with his generals and fragment of an army were treacherously betrayed at the Norias de Bajan, José Bernardo Gutierrez (sometimes Guitierrez de Lara) was made a lieutenant-colonel, and commissioned to proceed to the United States to solicit aid for the struggling patriots. Nothing daunted by the calamity which had overtaken the leaders of the rebellion, and spurred, some have written, by the news of the execution of his brother along with other so-called traitors, he made his way into Texas, which he found in a state of rebellion, and from thence to Washington.

It will be recalled that January 22, 1811, the garrison and the inhabitants of San Antonio de Bexar raised the standard of revolt, took Governor Manuel de Salcedo, Simon de Herrera, and others prisoners—whose heads were later to stain the pikes of the men of Gutierrez—and declared for the republic. This enabled Gutierrez to pass on his journey unmolested. In Washington, however, he received no official recognition,<sup>1</sup> and soon returned South.

<sup>1</sup>Vicente Filisola: *Memorias para la Historia de la Guerra de Tejas*, I, 49.

Early in the year 1812 he appeared at Natchitoches, the old frontier fort, which, for more than a century, stood over against the Spaniards in Nacogdoches, and opened communication with the adventurers, modern robber knights, who had taken charge of the Neutral Ground. Lieutenant Augustus W. Magee, who was stationed at Natchitoches for the purpose of looking after the freebooters, who helped themselves to whatever property they found within the bounds of the Sabine and Arroyo Hondo, fell under the influence of the revolutionist. The reports of Gutierrez as to the internal condition of the province of Texas and Mexico, the hope of booty, and the certainty of success, won over many to his schemes. In spite of the war which now broke out with Great Britain, recruits came from Kentucky, Tennessee, Mississippi and Louisiana, while the Neutral Ground disgorged a swarm of adventurers.<sup>1</sup>

As early as April 6, the Spaniards at Bayou Pierre, which lies to the east of the Sabine near the old mission site of Adaes, had notice of the arrival of Gutierrez on the frontier. On that day Marzelo de Zoto, justice of the peace, reported to Montero, the commander of Nacogdoches, that Bernardo Gutierrez had arrived at Natchitoches in company with an officer, that he brought many recommendations, and that it was whispered he was engaged in some

<sup>1</sup>It may not be amiss to trace in a word the history of the Neutral Ground. The fall of 1806 found the United States and Spain all but at war because of many disputes, chief of which arose over the Louisiana boundary. Their armies were marched to the frontier. There, November 5, 1806, on the basis of a proposition made by James Wilkinson, general of the army of the United States, Simon de Herrera, governor of Nuevo Leon, agreed to make neutral the land lying between the Sabine and the Arroyo Hondo. This was a considerable area varying from thirty to fifty miles in width and extending from near Natchitoches to the gulf. As no authority was exercised in that region it was soon occupied by men who respected no law. The after history of this robbers' nest, bad as it is, does not surpass in point of lawlessness or immorality the conduct of the man at the time he made its existence possible. This Neutral Ground strip, the recognition of which waived our claim to Texas, which was conceded to the Spaniards to pacify them in order that Wilkinson might send an expedition to Mexico to demand a large sum of money for his services in defeating Aaron Burr, continued to give trouble down to the treaty of 1819.

treacherous plot.<sup>1</sup> Less than a month later, Felix Trudeau, consul at Natchitoches and Spanish spy, of whom we hear much during these years, wrote Montero:<sup>2</sup>

"Bernardo Gutierrez has returned here from the United States, and with him is an American who seems to be of much importance. It is reported that his intentions are to seek every means to revolutionize the Internal Provinces."

These notices had the expected effect on the commander of the Spanish garrison at Nacogdoches. May 12 he dispatched to the governor of Texas, Manuel de Salcedo, who had been restored to power in the preceding fall, the notices he had of threatened troubles, among which were Indian raids and the circulation of seditious papers.<sup>3</sup> A few days later Trudeau wrote in a positive tone that nothing was to be left undone to accomplish the revolutionizing of the Internal Provinces. A printing press had been set up, which, of course, meant that incendiary documents were to be scattered broadcast.<sup>4</sup> And sure enough, Montero had not long to wait before his suspicions were verified. June 27 he wrote the governor that three of his soldiers had captured the deserter, José Banegas, and with him forty pamphlets entitled *El Amigo de los Hombres* (*The Friend of Man*). There were, besides other documents, all of which bore the name of the "traitor, Bernardo Gutierrez."<sup>5</sup>

June 2, Salcedo detailed the situation to the viceroy, enclosing copies of the letters he had received from the frontier. He referred to Gutierrez as the *Embajador de Rayon*.<sup>6</sup> But the affair became

<sup>1</sup>Marzelo de Zoto to Bernardino Montero, April 6, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 64; Mexican Archives.

<sup>2</sup>Felix Trudeau to Montero, May 3, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 63; Mexican Archives.

<sup>3</sup>Montero to Manuel de Salcedo, May 12, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 126; Mexican Archives.

<sup>4</sup>Trudeau to Montero, May 23, 1812; MS. Case 17, No. 589; Archives State of Texas.

<sup>5</sup>Montero to Salcedo, June 27, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 182; Mexican Archives.

<sup>6</sup>Salcedo to Viceroy, June 2, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 58; Mexican Archives.

more alarming, and under date of the twenty-fifth he wrote the central government:<sup>1</sup>

"I do not know how I can sufficiently impress upon your excellency the necessity of sending officers with Spanish (*estrañas*) troops to be distributed in various parts, and to be empowered with the necessary functions to extinguish the fire of rebellion which smoulders in the villages to the north and their environs."

During the course of the summer the Americans continued their preparations. "Proposals were published, in the name of Don Bernardo Guterrez, for raising the 'Republican Army of the North.' " Yoakum<sup>2</sup> goes on to say that "The publication promised to each volunteer forty dollars per month, and a league of land to be assigned him within the boundaries of the new republic." There is evident confusion of objects and purposes. The men who rallied to the standard which was hoisted within the Neutral Ground came from various motives. There were some who expected to see a new republic set up; some who longed for the excitement of war and adventure; some for the gold they expected to find somewhere out in the Spanish domain; finally, there were many who indulged real sentiment over the war for Mexican liberty, who were eager to strike a blow at the enemy who had vexed them with harsh laws, who had so long thwarted their enterprises and stayed their advance into lands which seemed by right or purchase to belong to them. Nor was this all—this same enemy stood with his foot on the neck of the Aztec!

The greater part of the summer was spent in gathering provisions under the supervision of Colonel Davenport, who had been a long time Indian agent in that quarter, and in mustering recruits. At last, however, in August an advance was made. The Spaniards had taken post at the Sabine with the expectation of disputing its passage; but they were outflanked and forced to retreat to Nacogdoches. Montero goes on in his report of the affair to the governor<sup>3</sup> to say that after having been forced to retire, he left a patrol of

<sup>1</sup>Salcedo to Viceroy, June 25, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 171; Mexican Archives.

<sup>2</sup>Yoakum: *History of Texas*, I. 154.

<sup>3</sup>Montero to Salcedo, August 12, 1812; MS. Archives State of Texas.

twenty men at Attoyac under the command of Gonzales for the purpose of watching the further movements of the enemy. At dawn the next day, August 11, an assault was made while they were at their matins, and only the sentinel escaped to bear the news to Nacogdoches. He (Montero) at once sounded the alarm, but not a citizen came to aid in the defense of the old Spanish outpost. On the other hand, the town seemed happy, while the troops were depressed and indifferent. At the approach of the Americans confusion and consternation possessed the Spaniards, and they fled precipitately in squads or singly, as it happened. Only ten rode with Montero towards the Trinity, a distance of eighty miles, which place was reached next day, and there the first halt was made. From this point Montero recounted his ill fortune.<sup>1</sup>

Five days later, August 17, the messenger reached San Antonio de Bexar, the capital of the province of Texas, with the alarming dispatches.

The governor wrote at once to Lieutenant-Colonel Bustamente:<sup>2</sup>

"I have this moment received word, under date of the 12th, from the commander of Nacogdoches, who finds himself withdrawn to the Trinity with part of his officers and troops. He reports that the Americans occupied Nacogdoches on the eleventh, the place having been abandoned because of the superiority of the American forces. Thus the dreaded day has arrived in which I see the ominous standard of revolt unfurled in that part of the kingdom."

The same day Salcedo sent an appeal to the viceroy for reinforcements:

"With one thousand of the troops recently arrived from Spain at Matagorda I shall free this kingdom within a month of a new and more formidable insurrection than the past one.<sup>3</sup> . . . The people, incautious on the one hand and hallucinated on the other, embrace with readiness the sedition. The Americans say they have not come to do harm to the inhabitants of this kingdom, but to aid them in securing their independence. Unfortunately, our people do

<sup>1</sup>It will be noted at once that this account of the advance of the Americans varies from the generally accepted one. Yoakum (I. 154-55) places the time in June rather than August, but from the evidence it appears that he has fallen into an error, which those who have followed him have failed to correct.

<sup>2</sup>Salcedo to Bustamente, August 17, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 188; Mexican Archives.

<sup>3</sup>The revolution in January, 1811.

not know the poison and hypocrisy of our enemies; do not realize that they are working under the pretext of succoring them to conquer our provinces little by little. In the end the natives cannot rid themselves of the Americans; then they will arouse from their lethargy. While I am waiting for the reinforcements I have asked, . . . I shall do all in my power to expel the invaders, if the troops of this garrison remain faithful."<sup>1</sup>

This exposition of the situation by a high Spanish official is not without its interest. We have been accustomed to look upon that important era of transition only through American eyes—here we have a view through the eyes of a Spaniard. In this letter race differences and institutional peculiarities crop out. The one phrase, our people, *los nuestros*, tells a long story. It indicates the wide divergence in the political thinking of the two races that now for the first time contest, at the point of the bayonet, for supremacy in one quarter of the Western Hemisphere. Indeed, the warning uttered concerning the object of the invaders recalls a letter of Jefferson to A. Stewart in which he spoke of a time when the Americans would win the Spanish territories bit by bit. And this was, in truth, the beginning of the fulfillment of the prophesy.

August 21, Salcedo ordered Montero, who it will be remembered had taken post at the Trinity, to march to his capital, San Antonio de Bexar. The former commander of Nacogdoches was to bring with him what people he could, as the Indians were now hostile to them also. Montero, however, had not waited for these orders, but retreated on his own account, reaching San Antonio September 2. His line of march had been through Navasota, where five soldiers had deserted, and from these to the capital.<sup>2</sup>

Salcedo has left us a bitter arraignment of the conduct of the United States. After repeating to the viceroy a fuller account of the desertion of Nacogdoches, which had been made necessary because of the attitude of the people, all of whom had been seduced, as well as many of the soldiers who refused to respond to the call to arms, he took up the case against the American republic.<sup>3</sup>

<sup>1</sup>Salcedo to Viceroy, August 17, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 185; Mexican Archives.

<sup>2</sup>Salcedo to Montero, August 21, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 193; Mexican Archives.

<sup>3</sup>Salcedo to Viceroy, September 24, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 194; Mexican Archives.



"Our invaders are as yet insignificant; but this which seems unimportant is much to my mind, especially when we know that the United States has aided Gutierrez, knowing him to be a refugee. We know also that they secretly aided in the overthrow of West Florida, and that this reunion took place within view of the judges of that country. They made no effort to interfere, as they could and ought; for this sort of attack is the most insulting which one government can offer to another. Knowing this and the grave dangers which may follow the coming of these revolutionists, I desire to find myself entrusted with a sufficient force to drive them beyond the bounds of their own country. . . . I must repeat to your excellency the necessity of sending me by sea some of the troops from Spain. This is urgent because of the nature of the war which is being waged by the enemy through the medium of incendiary literature, the doctrines therein contained being readily accepted by the troops and the people."

Certainly some of Salcedo's points are well taken. He was wrong, however, in crediting the *government* with a part in the overthrow of West Florida; but to one not versed in the mystery of this government's actions, the promptitude with which that territory was annexed to the Anglo-American republic was at least ground for suspicion. Nor was Gutierrez, so far as we know, aided by the government. Where the culpability of the administration lay was in its failure to enforce the neutrality laws. We have seen that as early as April 6 the Spaniards knew that Gutierrez was at work on his scheme. It seems strange that the officers in the United States learned nothing of the preparations and the enlistments until August. It happened by coincidence that the day Nacogdoches fell into the hands of the filibusters, August 11, Claiborne issued his proclamation against the enterprise.<sup>1</sup> John Dick, United States attorney, later offered the excuse that though it was known, it was not possible to act because no assemblage could be found.<sup>2</sup> A much more likely excuse would have been that the Neutral Ground, which was beyond the independent jurisdiction of the United States, was made the base for operations. The war with England, too, doubtless played a part in withdrawing the attention of the authorities. However, it is probable that the expedition was purposely overlooked.

<sup>1</sup>Proclamation, August 11, 1812; MS. No. 689; Archives State of Texas.

<sup>2</sup>*American State Papers*, XI 302.

After the taking of Nacogdoches the town became the headquarters of the invaders. There the final organization was completed; Lieutenant Magee, who had resigned his commission in the United States army, was elected colonel with the chief command, though Gutierrez, for palpable reasons, bore the title of general.<sup>1</sup> While provisions were being collected and recruits mustered, the leaders prepared at least three distinct forms of proclamations which were supposed to set forth their designs. They were in bad Spanish and written, which probably makes a fiction of the earlier report that the insurrectionists were possessed of a printing press. These interesting papers bore the date of September 1, 1812, "the second year of our independence," and were issued from the "quarters of General Jose Bernardo Gutierrez, colonel in the armies of the Republic of Mexico, and representative to the government of the United States of America, and commander-in-chief of the Army of the North." One of the proclamations was issued specially to the soldiers and citizens of San Antonio. It ran as follows:<sup>2</sup>

"Soldiers and citizens of San Antonio de Bexar: It is more than a year since I left my country, during which time I have labored indefatigably for our good. I have overcome many difficulties, have made friends and have obtained means to aid us in throwing off the insulting yoke of the insolent despotism. Rise *en masse*, soldiers and citizens; unite in the holy cause of our country! Many of our friends and countrymen have been unjustly slain by the sword of the tyrant! Their blood cries aloud from the grave for vengeance! Their souls are before the throne of God, praying for revenge and for our victories.

"I am now marching to your succor with a respectable force of American volunteers who have left their homes and families to take up our cause, to fight for our liberty. They are the free descendants of the men who fought for the independence of the United States; they feel the force and worth of liberty as did their fathers in the war with Great Britain; and as brothers and inhabitants of the same continent they have drawn their swords with a hearty good will in the defense of the cause of humanity, and in order to drive the tyrannous Europeans beyond the Atlantic. . . .

"Awake! Awake! Think no more of these tyrants who pretend

<sup>1</sup>Yoakum, I. 162.

<sup>2</sup>Proclamation, September 1, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 203; Mexican Archives.

to have absolute power over your lives, who have dyed their iniquitous hands in the blood of your brethren! . . . They have no longer the shadow of authority; the legitimate power is in your own hands—and you shall soon be free!”

September 4, Guitierrez wrote Don Luis Grande, an influential friend in San Antonio, that he had despatched thither a dozen proclamations by Alferez Miguel Menchaca; but that great difficulties would be experienced in getting into the city because of the Spanish spies who covered the country up to the Guadalupe River. If, however, they reached his hands he should circulate them by dropping them by the doors of those to be trusted, in this way spreading the truth.<sup>1</sup> But the despatches never reached their destination. September 22 the governor announced the capture of Luis Grande and a deserter, Bergara, who had in their possession seditious documents.<sup>2</sup> Thus the inflammatory papers—than which one would search far to find a more inflammatory—found a safe lodgment in the dark vaults of the palace of the viceroy of Nueva España.

A second proclamation<sup>3</sup> was directed to the inhabitants of the province of Texas. Gutierrez began by avowing that he had come to assist them in casting off the chains of the most debasing tyranny the world had ever known—the government of the foreign-born Spaniard, “*Europeo*.”

“I have traveled immense distances,” he continued, in an exaggerated vein, “have treated with the supreme government of North America concerning those things directly affecting the security of our sacred rights, and have opened a road which had been previously closed. Moreover, I discussed those matters, which to me seemed necessary, with the ambassadors and ministers of the kings of Europe, securing the abandonment of various and formidable armadas, which were being prepared for the war against us, by counter-acting the stories which the *Gachupines* [European-born Spaniards] had circulated. . . . All of the civilized nations have

<sup>1</sup>Gutierrez to Luis Grande, September 4, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 199; Mexican Archives.

<sup>2</sup>Manuel de Salcedo to Nemesio de Salcedo, September 22, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 204; Mexican Archives.

<sup>3</sup>Proclamation September 1, 1812; MS. *Operaciones de Guerra* (Manuel de Salcedo) I. f. 203; Mexican Archives.

declared in favor of our independence, and have promised me many things when we shall have destroyed our oppressors."

After this egotistic paragraph interlarded with exaggerations of such a character as were evidently calculated to deceive the ignorant natives, he exhorted them to raise their voices against the detested foreigners, and to await his approach when they should have no fear as to the result:

"By land as well as by sea are coming very powerful reinforcements of troops and arms, and whatever else we need. And you may say with full assurance that we shall never again be dominated by those foreigners, and that the days of horror and calamity have passed away forever."

The prospects of success held out by the general of the Army of the North could hardly have been more flattering. Perhaps he felt that in this way he could turn the wavering to his standard. The immediate future proved some of his statements false; but he was right when he said that the Spaniards would never rule over them again. However, he was wrong when he thought the expulsion would end the days of horror and calamity.

The third proclamation of the series was addressed to the inhabitants of the kingdom of Mexico. Its chief interest lies in the fact that if it is to be accepted as an outline of the purpose of the revolutionists, the nature of the expedition has not been understood,—its sphere of action was not to have been limited to the province of Texas.<sup>1</sup> In this, as in former declarations, he exaggerated his strength and resources, while he appealed to the prejudices existing in the church to further his cause. He stated that he had at his disposal the thousands of men necessary to give freedom to the kingdom; and then followed a series of promises to the people:

"All persons shall have a right to vote; to make use of the gift of nature to establish the laws of the government under which they live; and to choose those by whom they are to be governed, and in whose hands are to be deposited their sovereign rights. Every one shall have the right to engage in commercial pursuits and to export his products; agriculture and the arts shall be encouraged in all their branches; and one may live where his happiness is best served, without any government lawfully to interfere."

After these pledges it was stated that the church would suffer no

<sup>1</sup>Compare Yoakum, I 153.

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change, though some reforms would be undertaken. Next, the General discussed the ideas which animated the brave, noble Americans who were marching to fight for the freedom of Mexico. He had not come, he avowed, nor his army, to rob nor to take aught from anyone, not even the *Europeos* who loved the new order of things; but woe to "those traitors who oppose the course of independence and happiness!"

These manifestoes exhibit the full code of the revolution. They were not, however, the creations of Gutierrez; he was an ordinary mortal, and proved utterly inefficient. The handiwork of the Americans is everywhere manifest; and if reliance can be placed in the appeals which were issued from Nacogdoches, it must be granted that the followers of Gutierrez and Magee were imbued with higher ideals and less of selfishness than we are accustomed to credit to them.

In fine, September, 1812, found the filibusters about five hundred strong at Nacogdoches, making ready to advance, with no foe nearer than Goliad (La Bahia). Thus all the eastern part of the province of Texas had been abandoned, though with no idea of leaving it permanently in the hands of the "infamous Anglos." While the reinforcements which Salcedo had solicited were coming up, adventurers and filibusters were daily added to the roll of those who had undertaken a task greater than they could master.